

## Message Text

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ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 R

DRAFTED BY L/NEA:KBHUFFMAN:TK

APPROVED BY NEA: ALFRED L. ATHERTON

T: MR. MAW (SUBS)

DOD/DS :WBLIGON

NEA/ARP:FMDICKMAN

S/S: ASHANKLE

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O 072353Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY JIDDA IMMEDIATE

S E C R E T STATE 133649

EXDIS

E.O. 11652:GDS

TAGS: PINT, SA

SUBJECT: NORTHROP'S "COMMISSION" PROBLEMS

REF: JIDDA 4028

1. AFTER CAREFUL REVIEW OF ISSUES, DEPARTMENT REQUESTS AMBASSADOR PROVIDE MAY 23 LETTER TO PRINCE SULTAN. IN DOING SO, YOU SHOULD STATE REGRET OVER TROUBLING SULTAN WITH ANOTHER LETTER BUT EXPLAIN THAT FOR LEGAL REASONS, USG NEEDS A WRITTEN RESPONSE FROM SULTAN SPECIFICALLY ADDRESSING COMMISSION IN PEACE HAWK IV PROGRAM.

2. FYI: SHOULD SULTAN'S RESPONSE DISAPPROVE ALL OR PART OF COMMISSION, DOD WOULD HAVE BASIS FOR ACTION AND NORTHROP, ACCORDING TO ITS COUNSEL, WOULD HAVE LEGAL ARGUMENT IN EFFORT TO AVOID LIABILITY FOR PAYMENT OF ALL OR PART OF BALANCE OF COMMISSION TO TRIAD. NORTHROP HAS ALREADY PAID \$6 MILLION. SULTAN'S RESPONSE, HOWEVER, WILL NOT ELIMINATE LIKELY NORTHROP-TRIAD LEGAL DISPUTE. END FYI.

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3. BECAUSE SULTAN'S MAY 17 LETTER IS UNCLEAR WITH REGARD TO RETROACTIVITY INTENDED FOR POLICY STATEMENTS REGARDING COMMISSION, IT IS NOT USEFUL WITH RESPECT TO PROGRAMS PRIOR TO PEACE HAWK V PROGRAM. ACCORDINGLY, SPECIFIC LETTER REGARDING PEACE HAWK IV PROGRAM IS ESSENTIAL.

4. WE DO NOT WISH YOU TO REQUEST PRINCE SULTAN'S PERMISSION AT THIS TIME TO RELEASE TEXT OF MAY 17 LETTER AS STATEMENT OF SAG POLICY IN ALL CASES. WE BELIEVE SAG SHOULD ISSUE CLEAR POLICY STATEMENT PROHIBITING AGENT FEES UNLESS THEY ARE REASONABLE, JUSTIFIABLE AND CLEARLY IDENTIFIED IN CONTRACT. HOWEVER, WE WOULD PREFER TO TRANSMIT TO YOU OUR VIEWS ON THIS MATTER IN GREATER DETAIL FOR YOU TO DISCUSS WITH SULTAN AT A LATER DATE. KISSINGER

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NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PROCUREMENT, DIPLOMATIC COMMUNICATIONS, MISSILES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 07 JUN 1975  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Unique ID:** 00  
**Drafter:** KBHUFFMAN:TK  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Reference:** 75 JIDDA 4028  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 20 AUG 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <20 AUG 2003 by KelleyW0>; APPROVED <22 DEC 2003 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
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**TAGS:** PINT, SA, US, NORTHROP, (SULTAN, PRINCE)  
**To:** JIDDA  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006